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February 5, 2003

The Honorable Sara Kyle, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

RE: Complaint of Aeneas Communications against Citizens Telecommunications  
Company L.L.C. in Weakley County, Tennessee

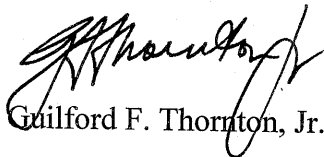
Docket No. 02-00438

Dear Chairman Kyle:

On behalf of Citizens Telecommunications Company L.L.C., I am filing with this letter direct testimony of James C. Hall and Robert M. Jeffrey in the above referenced matter. Copies are being served on counsel for all parties of record.

Should you have any questions or require anything further at this time, please do not hesitate to contact me.

Sincerely,

  
Guilford F. Thornton, Jr.

cc: Mike Swatts  
Gregg Sayre

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by facsimile transmission and by first class mail postage prepaid this the 5th day of February, 2003 to:

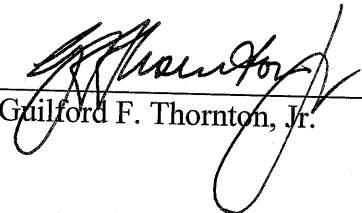
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\_\_\_\_\_  
Guilford F. Thornton, Jr.

**DIRECT TESTIMONY OF ROBERT M. JEFFREY**

**Q. Please state your name, title, employer, business address and job responsibilities.**

A. My name is Robert M. Jeffrey. My job title is Interconnection Manager. I am employed by Citizens Telecom Services Company LLC at 180 South Clinton Avenue, Rochester, New York 14646. I am responsible for the negotiations of Interconnection Agreements for the properties of Citizens Telecommunications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee LLC and Citizens Telecommunications Company of the Volunteer State, LLC. d/b/a Frontier Communications of the Volunteer State LLC.

**Q. Does Citizens have any other feasible way of completing EAS calls from its Martin, Dresden and Sharon switches to Aeneas' 480 Greenfield exchange other than using the EAS trunks between Sharon and Greenfield?**

A. No, not as Citizens', BellSouth's and Aeneas' network facilities now exist. We have no feasible way of completing these EAS calls other than sending them, as we have always done, to the Greenfield EAS meet-point with BellSouth. We do not have any basis, nor would it be financially reasonable or feasible, for Citizens to construct a new facility from Martin or any of the other Citizens' switch across BellSouth territory to Aeneas' switch in Jackson. Further, it is our legal position that we are not responsible to build or pay for facilities outside of our network to interconnect with competitors who choose to locate themselves entirely outside of our network. Speaking on a policy and technical basis, we have no objection to competitive carriers connecting with us indirectly if they do not wish to connect with us directly. In this case Aeneas is using BellSouth as an intermediate carrier and therefore it is Aeneas' responsibility to pay for all BellSouth charges required to reach Citizens network for the origination and termination of traffic. BellSouth is acting as Aeneas' agent in this situation. If the intermediate carrier were Citizens' responsibility, a competitor with a switch located in Chicago serving a customer located in Greenfield could assert that we should have to pay to send calls from Sharon to Chicago.

For the same reasons it is not reasonable or feasible to expect Citizens to build or lease a new facility from our switch into BellSouth territory to BellSouth's Jackson tandem switch which Aeneas' switch subtends.

None of Citizens' switches subtend the Jackson tandem. Our switches subtend the Memphis tandem and our toll facilities extend from our "host" switches to a meet-points with BellSouth from which BellSouth carries the traffic to and from Memphis. There is no reason, basis or precedent to require Citizens' switches to subtend multiple tandems.

Further, it would not be reasonable or feasible for Citizens to route this traffic over the normal toll routes to Memphis. These toll trunks terminate in BellSouth's tandem switch in Memphis. Once the calls reached Memphis, there would be no clear way for the calls to progress any further. It would make no sense to require either our customers or Citizens to pay charges to transport these EAS calls via Memphis when there is already an existing EAS route from Sharon to Greenfield and a BellSouth route from Greenfield to Jackson. Neither Citizens nor Citizens' customers have any legal responsibility to incur charges to reach Aeneas' switch. It is Aeneas' responsibility to accept these calls either directly from us or indirectly through an intermediate carrier such as BellSouth.

**Q. You have stated that Citizens has no other reasonable or feasible ways to complete these calls. Could Aeneas, working with Citizens or other carriers, establish other ways for EAS calls from Citizens' to Aeneas' customers to be completed?**

A. Yes. Aeneas could, as required by Section 251 of the Telecommunications Act of 1996, interconnect with us at some technically feasible point within Citizens' network. They could do this directly, or indirectly through an intermediate carrier that would interconnect within our network acting as Aeneas' agent. We are prepared to negotiate any reasonable and feasible mode of direct or indirect interconnection. We do not, however, accept the argument that we are responsible to build or pay for the transport of traffic to or from a telecommunications service provider that chooses to locate its network entirely outside our network, and makes no arrangements to exchange traffic from our network to theirs. As I mentioned before, it would be feasible for Aeneas to locate its switch in Chicago to serve Greenfield customers, but that does not mean that it can force Citizens to haul Greenfield-bound traffic to Chicago. This is not, in fact, an extreme example. As telecommunications network switching develops and carriers make use of packet switching technologies and low-cost long-haul fiber routes, it will become increasingly feasible for

telecommunications service providers to serve an entire state or region from a single centralized switching facility.

Additionally, it is possible that Aeneas could arrange with BellSouth for BellSouth to pick up the calls at the meet-point where Citizens delivers calls that are routed to the BellSouth Memphis tandem, and for BellSouth itself to haul the traffic to Jackson. Although this could work technically, there are a number of reasons why Citizens does not support this alternative:

First, it could potentially contaminate the only route for our Citizens' customers to reach the outside world with long duration Internet traffic. We have seen local Internet traffic seize our network on certain routes in West Virginia, to the point that normal traffic was completely blocked.

Second, this EAS traffic would somehow have to be segregated from normal toll and 800 traffic, to avoid the application of access charges. This might require the creation of additional trunk groups, another cost that Citizens should not be expected to bear.

Third, this routing through Memphis would be unnecessarily long and costly given that a direct EAS route already exists between Sharon and Greenfield.

Fourth, even if compensation was allowed, the billing of such traffic would be complex and controversial. There is no feasible way to measure local traffic routed over the toll network. Citizens would not be responsible to pay access charges to BellSouth for this EAS traffic. BellSouth and Aeneas would have to establish a mechanism to measure this traffic and for Aeneas to properly compensate BellSouth.

Finally, Aeneas could negotiate with BellSouth for BellSouth to deliver the calls from the Sharon-Greenfield meet point to Aeneas' switch in Jackson. As I will discuss below, this is the best alternative and one that has been adopted elsewhere.

**Q. Why cannot BellSouth simply complete the calls from Citizens' customers to Aeneas' customers as it did before?**

A. Citizens has not changed the routing of the 480 code since it was originally opened to route over the existing Sharon to Greenfield EAS trunk group. If these calls were completed in the past it was because BellSouth opened up this code in their Greenfield switch to allow these calls to be terminated. BellSouth could technically complete the calls. Although BellSouth can speak for itself, I support the position that an incumbent local exchange carrier is not required to provide tandem facilities to a competitive carrier for free. I also believe that an incumbent local exchange carrier is not required to turn a local switch into a tandem at the behest of a competitive carrier. It would not make policy sense for the Authority to give competitors a free ride when they want to receive inbound EAS traffic from a neighboring incumbent but refuse to make arrangements for the appropriate network connections or to incur any costs to properly interconnect with that neighboring local exchange company.

**Q. Does the Local Exchange Routing Guide (LERG) require Citizens to route calls to Aeneas' Greenfield customers in any particular manner?**

A. No. Citizens uses the LERG to determine whether a call is local or toll based on the rate center assignment. In this case, we rate calls from our Citizens' switches to Aeneas' Greenfield 480 exchange as local. The LERG identifies Aeneas' switch as being physically located in Jackson, but it does not define any particular route between Citizens' switches and Aeneas' switch. The only network Citizens has to the Greenfield rate center is the existing EAS trunks between Sharon and Greenfield. We attempted to route calls to Aeneas' Greenfield customers over these EAS trunks. We are not aware of any instance in which we have departed from the LERG.

**Q. Has Citizens experienced an interconnection situation similar to the Aeneas situation elsewhere in Tennessee?**

A. Yes. TCG, a CLEC interconnected with BellSouth in Knoxville, has opened a central office code in Knoxville. Citizens' Powell and Claxton exchanges have EAS service to Knoxville via two BellSouth EAS Tandems. We have been routing traffic from our exchanges to TCG's central office code just as we do with Aeneas, over EAS trunks to BellSouth's. Not only are these calls being completed, but TCG is even billing us approximately \$11,000 per month in reciprocal compensation charges notwithstanding the facts that TCG has no interconnection agreement with Citizens. This situation makes it all the more clear that the Authority must establish the ground rules of how EAS traffic will be routed and completed when a CLEC interconnects with one ILEC but fails to make arrangements with other ILECs within the local calling area. It is our position that the CLEC is responsible to request an interconnection agreement with each ILEC with which it wishes to exchange local traffic. We believe that the Authority should rule that the CLEC is responsible to arrange for direct interconnection, or indirect interconnection through a third party of the CLEC's choice, at a technically feasible location on each ILEC's network, and that the CLEC is responsible for the costs of whatever third party that it may choose to reach an ILEC network for the purpose of exchanging local and EAS traffic. An acceptable solution, and probably the most economical in most cases, is for the CLEC to designate the ILEC in the rate center where its code resides as its agent for indirect interconnection, and that the meet point be specified as the normal meet point on the relevant EAS route between the ILECs in question. If the CLEC wishes to pursue interconnection by some other means with a nearby ILEC at a technically feasible point on the ILEC's network, the CLEC has the right to request interconnection negotiations subject to the Authority's powers to review any agreement and to arbitrate any disputes.

**Q. Has Citizens encountered this problem in another State, and if so, how has it been resolved?**

A. I am familiar with similar situations in New York State. In a proceeding in that state the New York Public Service Commission decided that in these situations Verizon in whose territory the competitive carrier is located would be directed to exchange EAS traffic at the normal meet- point between the

Independent telephone company (Citizens) and Verizon on a Bill & Keep basis between Citizens and the CLEC. The term Bill & Keep means that neither party pays reciprocal compensation to the other for the exchange of local traffic. However, the competitive carrier would be required to pay Verizon's charges for transport and switching of calls in both directions across Verizon's network between the meet-point and the competitive carrier's switch. In addition, the NY PSC directed that competitive carriers with a T-1 capacity or more (Citizens considers a T-1 capacity in excess of 120,000 minutes-of-use per month) of EAS traffic would be required to establish direct trunk interconnections with the Independent telephone company. The NY PSC's Order is available on the Internet at <http://www.dps.state.ny.us/fileroom/doc8995.pdf>.

Citizens recommends the TRA order the tandem owner to provide traffic measurements on a monthly basis to the ILEC that subtends the serving tandem, so the ILEC can monitor traffic volumes and require T-1 connections if the competitive carriers' traffic exceeds the threshold set by the TRA. Citizens supports the position that local wireline to wireline traffic be exchanged between both Parties on a Bill & Keep basis.



**Q. Would the New York resolution of this issue work for Citizens in Tennessee, and if so, how would Citizens route EAS traffic to Aeneas' Greenfield customers?**

A. Yes. We would continue to deliver and receive Aeneas' EAS traffic at the meet-point, which is what we have done all along. Aeneas would be required to make arrangements with BellSouth for BellSouth to deliver the traffic to Aeneas' switch in Jackson. If Aeneas and BellSouth could not reach a mutually agreeable arrangement for transport and switching, the dispute between those two companies would be either arbitrated or decided by the TRA.

**Q. Which resolution of this issue do you recommend?**

A. I recommend the New York resolution discussed above. It would achieve the most economical use of facilities, and would ensure that BellSouth is paid for the extra transport and switching that Aeneas is asking it to perform. It also would comply with the Telecommunications Act of 1996 by establishing indirect interconnection between Aeneas and Citizens at a technically feasible location (the meet-point) within Citizens' network.

**Q. Would Citizens and Aeneas pay each other to terminate each others' traffic?**

A. No. Citizens proposes to use a bill and keep arrangement whereby neither party pays the other to terminate local traffic originating on one party's network and terminating on the other party's network. Under my proposed resolution, each party will be responsible for all costs on its own side of the point of interconnection, in this case the Citizens-BellSouth meet-point.

**Q. Does this complete your testimony?**

A. Yes.

## **DIRECT TESTIMONY OF JAMES C. HALL**

**Q. Please state your name, title, employer, business address and job responsibilities.**

A. My name is James C. Hall. My job title is Switch Translations Specialist II. I am employed by Citizens Telecom Services Company at 250 South Franklin, Cookeville, Tennessee 38501. I am responsible for central office switch programming and the proper routing of calls for Citizens Telecommunications Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee LLC and Citizens Telecommunications Company of the Volunteer State, LLC. d/b/a Frontier Communications of the Volunteer State LLC.

**Q. Please explain the physical locations of Aeneas Communications' switch and customers, and explain what Citizens exchanges have local calling areas that would include Aeneas' customers.**

A. Aeneas' switch is physically located in Jackson, Tennessee. Jackson itself is not within the local calling area of any of Citizens' exchanges. Aeneas, however, has opened the 480 exchange in its Jackson switch and has assigned that exchange to customers that it serves in the Greenfield area. Aeneas has assigned the 480 exchange to the Greenfield rate center in the Local Exchange Routing Guide (LERG). Citizens' customers in the Martin (587 and 588), Sidonia (973), Dresden (364), Latham (799), Palmersville (822), and Sharon (456) exchanges have local calling to the Greenfield rate center but not to Jackson.

**Q. Please explain the network architecture of Citizens' Martin, Sharon and Dresden switches, and how customers in those switches reach the outside world.**

A. Please refer to the diagram attached as Exhibit A. Our Martin, Dresden, and Sharon switches are all "Host" switches, sub-tending the BellSouth tandem at Memphis. Our Sidonia switch is a "remote" switch subtending the Martin "host" switch.. Likewise, our Dresden switch serves as a "host" to our Palmersville and Latham "remote" switches. A "remote" switch does not connect with any switches other than its "host" switch. Therefore, with the exception of calls within or between the "host" and "remote", all communications into and out of the "remote" switch must pass through the respective "host" switch.

Citizens' "host" and "remote" switches I have just identified, "for the most part" communicate with the outside world through BellSouth's Memphis tandem switch. InterLATA and intraLATA long distance calls dialed by customers served by any of these switches are routed to the Memphis tandem and from there to the customers' presubscribed long distance carriers. Incoming interLATA and intraLATA calls are routed in reverse, from the carriers to the Memphis tandem to our switches.

The reason I said that communications "for the most part" are through the Memphis tandem is that these switches also have two Extended Area Service (EAS) routes to BellSouth switches to handle local calls between Citizens and BellSouth exchanges. One EAS route extends to BellSouth's Gleason (648) switch and is not relevant to this proceeding. The other EAS route physically extends from our Sharon "host" to the meet-point at the territory boundary between Citizens and BellSouth in the Greenfield area. Local calls from Martin, Dresden, Sharon and their "remotes", are routed over EAS trunks to access the Sharon/Greenfield trunk group for termination to BellSouth's Greenfield customers. Similarly, calls from Greenfield to any of our customers would arrive over the Sharon/Greenfield trunk group for termination in Sharon or be extended on to Martin, Dresden, Sidonia, Latham, or Palmersville over our EAS network.

**Q. Please state your understanding of the network architecture on the BellSouth side of the Sharon-Greenfield meet point.**

A. It is my understanding that BellSouth's Greenfield (235) switch is a DMS 10 switch like our Sharon switch, and that pursuant to the Local Exchange Routing Guide (Attachment 1) it subtends BellSouth's Jackson tandem. Aeneas' Jackson switch, which contains Aeneas' 480 Greenfield exchange, is located in Jackson and subtends BellSouth's Jackson tandem. Aeneas' 480 code is in an LNP (Local Number Portability) environment with BellSouth's 235 Greenfield code. For the most part, calls to and from the outside world for customers served by BellSouth's Greenfield switch and Aeneas' switch pass through the BellSouth tandem. Once again, there is special routing for EAS traffic from the Greenfield exchange to Citizens' Martin, Dresden and Sharon "host" switches.

**Q. Please explain the routing of EAS calls between Citizens' exchanges and the Greenfield exchange.**

A. EAS calls between BellSouth's Greenfield switch and Citizens' Martin, Dresden and Sharon switches are routed the same general way on both the Citizens and the BellSouth side of the Sharon-Greenfield meet-point. A call from a Citizens Sharon customer to a BellSouth Greenfield customer originates at the Sharon DMS 10 switch and extends to the meet-point. At the meet-point BellSouth routes the call to Greenfield for termination. It is my understanding that BellSouth's physical route from the meet-point is direct to the Greenfield central office, just as our physical route from the meet-point is direct to our Sharon office.

**Q. When Aeneas opened the 480 Greenfield code, how did Citizens route local calls to the 480 exchange?**

A. We routed the calls exactly the same way we route calls to BellSouth's Greenfield 235 exchange as described above. All of these calls were routed over the Sharon/Greenfield EAS trunk group to the meet point. From there, we assumed BellSouth routed the calls to its Jackson switch, switched the calls there and passed them on to Aeneas. I believe BellSouth used its tandem switching facilities at Jackson to handle the calls.

**Q. Were calls completed to Aeneas' Greenfield customers over this route?**

A. I don't know, but this is the only routing that was ever opened in our switches.

**Q. How are calls completed from Aeneas' Greenfield customers to Citizens' Martin, Dresden and Sharon customers?**

A. I do not know. I am not sure that there are any such calls, because it is my understanding that Aeneas only has Internet Service Provider customers in Greenfield. Internet Service Providers do not originate calls; they only receive them. The existing network configuration does not provide us the ability to identify and measure such traffic.

**Q. Does Citizens have any trunk groups from Citizens' Martin, Dresden or Sharon switches to BellSouth's tandem switch in Jackson?**

A. No. We only have EAS trunk groups on the Sharon-Greenfield meet-point route. Once we hand the call off to BellSouth, they determine how to route and switch the call within their network. We have no control over BellSouth's network or network routing decisions. Regardless of the actual physical routing,

the common interests between Aeneas and Citizens is the "local" routing between their customers.

Therefore, it is expected that a "local" trunk group be provisioned to accomplish this without using trunk capacities that have been provisioned for toll.

**Q. Does this complete your testimony?**

A. Yes.

EXHIBIT A

**FRONTIER COMMUNICATIONS OF TENNESSEE LLC.**

